

12:42 pm, Feb 12, 2019

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
STEPHANIE L. KOHOVICH,

Plaintiff,

-against-

NANCY A. BERRYHILL, ACTING  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
-----X

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

ADOPTION ORDER  
16-cv-6990 (ADS) (GRB)

**APPEARANCES:**

**The DeHaan Law Firm P.C.**

*Attorney for Plaintiff*

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Hauppauge, NY 11788

By: John W. DeHaan, Esq., Of Counsel

**United States Attorney's Office for the Eastern District of New York**

*Attorney for the Defendant*

271 Cadman Plaza East, 7<sup>th</sup> Floor

Brooklyn, NY 11201

By: Candace Scott Appleton, Assistant United States Attorney

**SPATT, District Judge.**

On December 19, 2016, the plaintiff, Stephanie L. Kohovich (the "Plaintiff"), commenced this appeal pursuant to the Social Security Act, 42 U.S.C. § 405 *et seq.* (the "Act"), challenging a final determination by the defendant, Nancy A. Berryhill, the Acting Commissioner of the Social Security Administration (the "Defendant" or the "Commissioner"), that she is ineligible to receive Social Security disability insurance benefits. Presently before the Court are the parties' cross motions [Docket Entry 14, 16], pursuant to Federal Rule of Civil Procedure 12(c) for a judgment on the pleadings.

On September 10, 2018, the Court referred this matter to United States Magistrate Judge Gary R. Brown for a recommendation as to whether the cross motions for judgment on the pleadings for either party should be granted, and if so, what relief should be ordered.

On January 28, 2019, Judge Brown issued a Report & Recommendation (“R&R”) recommending that the case be remanded for further proceedings consistent with the R&R.

More than fourteen (14) days have elapsed since service of the R&R on the parties, who have failed to file an objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the R&R for clear error, and finding none, now concurs in both its reasoning and its result.

Accordingly, the R&R is adopted in its entirety.

**SO ORDERED.**

Dated: Central Islip, New York  
February 12, 2019

/s/ Arthur D. Spatt  
ARTHUR D. SPATT  
United States District Judge